

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CALIFORNIA DEPARTMENT OF TOXIC
SUBSTANCES CONTROL,

Plaintiff,

NO. CIV. S-02-2389 LKK/DAD

15 PAYLESS CLEANERS; COLLEGE
16 CLEANERS; HEIDINGER CLEANERS;
17 NORGE VILLAGE CLEANERS; CAVA,
18 INC., a California corporation;
19 LOBDELL CLEANERS; CITY OF CHICO;
20 NORVILLE R. WEISS; JANET L. WEISS;
21 PAUL A. TULLIUS; VICTORIA TULLIUS;
22 ROBERT H. HEIDINGER; INEZ N.
23 HEIDINGER; 5TH AND IVY, a general
24 partnership; RICHARD C. PETERS and
25 RAMONA W. PETERS, individually and
26 as Trustees of the Peters Family
27 Trust; BETTY M. ROLLAG; RANDALL
28 ROLLAG; and TAMI ROLLAG.

ORDER

Defendants.

AND RELATED COUNTER-CLAIMS.

25 On June 11, 2007 a status conference was held in the above
26 captioned case. On June 12, 2007, the court received a letter

1 from counsel for Burns International Services Corporation,
2 allegedly improperly served as Borg Warner Corporation. The
3 letter informed the court that on January 5, 2007, Burns had
4 filed a motion to dismiss based on improper service and that the
5 motion had been stayed by order of the court. Burns requests
6 that the motion to dismiss be re-calendared for hearing. For
7 the reasons discussed at the conference, the court orders as
8 follows:

9 1. The current stay is hereby extended until August 13,
10 2007. Thereafter, the parties shall comply with the
11 following deadlines:

- 12 • Expert Designation: October 17, 2007
- 13 • Discovery Completion: December 17, 2007
- 14 • Law and Motion Cut-off: February 15, 2008
- 15 • Pretrial Conference: April 21, 2008 at 2:00
16 p.m.
- 17 • Trial: July 22, 2008 at 10:30
a.m.

18 2. The stay shall not apply to the pending motion for
19 partial summary adjudication filed by third party
20 defendants Maytag Corporation and Fedders Corporation
21 against third party plaintiffs Richard C. Peters and
22 Ramona M. Peters. The stay shall also not apply to
23 the motion to dismiss filed by Burns. The court sets
24 the following dates with respect to these two motions:

- 25 • Opposition Briefs due: July 6, 2007

1 • Reply Briefs, if any, due: July 20, 2007 ¹
2 • Hearing on Motions: August 3, 2007 at
3 1:30 p.m. ²

4 IT IS SO ORDERED.

5 DATED: June 18, 2007.

6 
7 LAWRENCE K. KARLTON
8 SENIOR JUDGE
9 UNITED STATES DISTRICT COURT

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22 ¹ At the status conference, the court initially set the
23 deadline for the reply brief on July 21, 2007, which is a Saturday.
24 Accordingly, the reply shall be due a day earlier on July 20, 2007.

25 ² At the status conference, the court initially set the
26 hearing for July 30, 3007. The court is unavailable for oral
 argument on July 30, 2007. Accordingly, the hearing is set for
 August 3, 2007.